

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RICO R. McCOY,

Plaintiff,

v.

HARRIS COUNTY, TEXAS a/k/a
HARRIS COUNTY SHERIFF'S
DEPARTMENT, et.al.,

Defendants.

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Civil Action No.: 4:25-cv-135

PLAINTIFF'S ADVISORY TO THE COURT ON PLAINTIFF'S CHANGED
POSITION ON DEFENDANTS' MOTION, DKT. #40

To the Honorable Judge of this Court:

The Plaintiff respectfully alerts this Court that Plaintiff, MR. RICO MCCOY, has changed his position from "opposed" to "UNOPPOSED" on Defendants' Motion to Stay Discovery and Vacate Order for the Scheduling Conference Pending Determination of Qualified Immunity and Motions to Dismiss (Dkt. #40), filed 03/28/2025. At that time Plaintiff opposed the Motion and duly communicated the same to Defendants' Counsel.

After much consideration, Plaintiff has changed his position and now is UNOPPOSED to the Motion (Dkt. #40). On 04/04/2025, via electronic mail, Plaintiff communicated his changed position and on 04/08/2025, Plaintiff met and conferred, reaffirming that Defendants were not opposed (*Exhibit 1*) to Plaintiff's changed position and their position on the filing this Advisory regarding his changed position.

CONCLUSION

WHEREFORE, Plaintiff respectfully requests that the Court accept this Advisory as acceptable notice of the Plaintiff's changed position on Defendants' Motion to Stay Discovery and Vacate Order for the Scheduling Conference Pending Determination of Qualified Immunity and Motions to Dismiss (Dkt. #40), filed 03/28/2025.

04/08/2025

Respectfully submitted,

/s/Courtney A. Vincent

Courtney A. Vincent

Minnesota Bar No. 0403083

Admitted:

U.S. District Court, Southern District of Texas

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COUNSEL FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned certifies that on 04/04/2025 through 04/08/2025, that Counsel for both the Plaintiff and the remaining Defendants conferred regarding Plaintiff's changed position, from opposed to UNOPPOSED on Defendants' Motion to Stay Discovery and Vacate Order for the Scheduling Conference Pending Determination of Qualified Immunity and Motions to Dismiss (Dkt. #40), filed 03/28/2025.

Respectfully Submitted,

/s/Courtney A. Vincent
Counsel for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that on April 8th, 2025, a true and correct copy of the foregoing document was delivered to the following consistent with the Federal Rules of Civil Procedure, via the following methods:

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ATTORNEY TO BE NOTICED

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The following was served with Notice via electronic mail:

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Counsel for Cody Williams

Respectfully Submitted,

/s/Courtney A. Vincent

Counsel for Plaintiff